

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RUI MAO, QINGBIN BU, RUI FAN,  
ZHEN FAN, BING HUANG, WENLAN  
HUANG, SHUANGYAN JIA, TIEYIN LI,  
HUAIJIN LIU, ZHONGFA LIU, XINYUAN  
MU, ZHICUI SHAN, YAO SONG,  
HAILAN TANG, PEILIN WU, HAITAO  
XU, XIUQIN YANG, ZHAOHUI YE,  
JUNHONG ZHANG, ZHONGMEI ZHAO,  
DIANYI ZHOU, JIAYIN ZHU, XIAOYU  
ZHU, LIXIN CHEN, WEIYI DAI, ZHE  
FENG, JIUYI GENG, YUE GU, MIN GUO,  
QING HUANG, HESHENG LEI,  
CHUNFENG LI, DANLI LI, XINKAI LI,  
RUIPING TAO, MANSHAN TONG,  
MING-JEN TSAI, YIPENG WU, ZHIJUN  
WU, CHEN XUAN, XIAOSHU YANG, and  
XIAOLIN YIN,

NO. 2:16-cv-01113-RSM

**JOINT STATUS REPORT AND  
STIPULATED MOTION AND ORDER  
TO EXTEND STAY**

## Plaintiffs.

v.  
U.S. BANK NATIONAL ASSOCIATION;  
QUARTZBURG GOLD, LP; ISR  
CAPITAL, LLC; IDAHO STATE  
REGIONAL CENTER, LLC; and SIMA  
MUROFF.

## Defendants.

STIPULATED MOTION TO EXTEND STAY  
2:16-cv-01113-RSM

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1 All parties to this action (the “Parties”) hereby respectfully submit this Joint Status  
2 Report and Stipulated Motion to Extend Stay. As set forth herein, the Parties stipulate to and  
3 jointly request that activity in this case continue to be stayed, with the Parties to submit a further  
4 joint status report within ninety days. Good cause, including judicial economy and efficiency for  
5 the Parties, supports this stipulated motion.<sup>1</sup>

6 On December 28, 2017, the Parties submitted their Joint Status Report and Stipulated  
7 Motion and Order to Strike Case Schedule and Trial Date (“First Stipulated Motion”). Dkt. 89.  
8 In their First Stipulated Motion, the Parties described the background of this litigation and the  
9 subsequent events and related litigation that have significantly impacted it. *Id.* (For efficiency  
10 and to avoid unnecessary repetition, the Parties incorporate by reference and will not restate their  
11 prior description of these issues). On January 2, 2018, this Court granted the First Stipulated  
12 Motion. Dkt. 90. Per the Parties’ stipulation, the Court ordered that the case schedule and trial  
13 date in this case be stricken, and further ordered the Parties to submit a further joint status report  
14 and a proposed case schedule within ninety days. *Id.* This joint submission timely follows.

15 As detailed in the First Stipulated Motion, one of the primary reasons the Parties had  
16 initially entered into a series of informal stays and ultimately filed the First Stipulated Motion  
17 was the potential significant effect on this case of the ongoing administrative and litigation  
18 proceedings involving United States Citizenship and Immigration Services (“USCIS”), the  
19 government agency responsible for adjudicating Plaintiffs’ immigration petitions. Also as  
20 detailed in the First Stipulated Motion, USCIS has re-opened and has been reconsidering the  
21 immigration petitions of Plaintiffs and other investors, on remand from a court order in related  
22 ongoing litigation (*John Doe et al. v. USCIS*, D.D.C. Case No. 1:15-cv-00273). USCIS  
23 originally denied the applications but is now reconsidering that decision. The ongoing USCIS  
24 reconsideration process and related litigation are of direct relevance to the Parties’ claims and

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26 <sup>1</sup> This case and its companion case (*Chi Chen et al. v. U.S. Bank National Association et al.*, Case No.  
27 2:16-cv-1109-RSM, and *Mao et al. v. U.S. Bank National Association et al.*, Case No. 2:16-cv-1113-  
RSM), both arise from the same underlying factual circumstances and present the same relevant issues.  
Substantively identical versions of this stipulated motion are being filed in both the *Chen* and the *Mao*  
cases.

1 defenses here. If the ultimate result of the USCIS reconsideration or related litigation was that  
2 the immigration petitions of the investor-plaintiffs were approved, that could have a very  
3 significant impact on the claims being asserted in the cases before this Court. The interests of  
4 judicial economy and efficiency to the Parties therefore strongly support waiting for the  
5 reconsidered decision from USCIS before incurring the potentially needless burden and expense  
6 that would be associated with discovery and other events in this litigation.

7 USCIS had initially stated that it anticipated issuing new decisions in approximately the  
8 early Spring of 2018, which is what the Parties previously informed this Court in the First  
9 Stipulated Motion. However, USCIS has not yet issued any decisions and has recently informed  
10 counsel that it now anticipates decisions being made in or about May 2018. Thus, the reasons  
11 for staying this case are the same now as they were when the case schedule was stricken in  
12 January, and the Parties are not yet in a position to evaluate how that USCIS decision will impact  
13 the claims at issue in this case or make any proposals as to a new case schedule. The Parties  
14 agree it is in their best interests for the stay to continue at this time.

15 Accordingly, for the reasons set forth herein and for purposes of efficiency for the Parties  
16 and judicial economy, the Parties stipulate to and jointly request that activity in this case  
17 continue to be stayed, with the Parties to submit a further joint status report, together with a  
18 proposed case schedule if appropriate, within ninety days.

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1 Stipulated and Respectfully Submitted this 2nd day of April, 2018.  
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## **ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Parties are directed to submit a further joint status report, together with a proposed case schedule if appropriate, within ninety (90) days of the date of this Order.

Dated this 5<sup>th</sup> day of April 2018.

  
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RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

## **CERTIFICATE OF SERVICE**

I hereby certify that on this date I caused to be served the foregoing on the following counsel of record by the method indicated:

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9 DATED this 2nd day of April, 2018.

10 /s/ Molly Price  
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